
By: **Frederick County Delegation**

Introduced and read first time: January 25, 2001

Assigned to: Commerce and Government Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 20, 2001

CHAPTER _____

1 AN ACT concerning

2 **Frederick County - County Treasurer**

3 FOR the purpose of abolishing the elected position of County Treasurer of Frederick
4 County; requiring that the County Treasurer of Frederick County be a regular
5 county employee; repealing a certain provision setting the annual salary of the
6 County Treasurer; providing that this Act does not apply to the salary or
7 compensation of the incumbent County Treasurer of Frederick County; and
8 generally relating to the County Treasurer of Frederick County.

9 BY repealing
10 The Public Local Laws of Frederick County
11 Section 2-7-26, 2-7-27, and 2-7-30
12 Article 11 - Public Local Laws of Maryland
13 (1979 Edition and July 2000 Supplement, as amended)

14 BY repealing and reenacting, with amendments,
15 The Public Local Laws of Frederick County
16 Section 2-7-28
17 Article 11 - Public Local Laws of Maryland
18 (1979 Edition and July 2000 Supplement, as amended)

19 BY repealing
20 Article 25 - County Commissioners
21 Section 51(m)
22 Annotated Code of Maryland
23 (1998 Replacement Volume and 2000 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article 11 - Frederick County**

4 [2-7-26.

5 At the general election to be held the Tuesday next after the first Monday in the
6 month of November, in the year 1930 and on the same day in every fourth year
7 thereafter, a county treasurer shall be elected by the qualified voters of the county.]

8 [2-7-27.

9 The county treasurer shall hold office from the first of December next ensuing
10 the election for the term of 4 years and until a successor in office is duly elected and
11 qualified. The county treasurer shall be removed from office by the board of county
12 commissioners upon conviction for any willful neglect of duty or misbehavior or
13 malfeasance in office. In case of a vacancy in the office, the Governor of the State
14 shall fill such vacancy by appointment of some person having the necessary
15 qualification, who shall hold such office for the remainder of the term.]

16 2-7-28.

17 (a) The county treasurer shall be collector of all State and county taxes for the
18 county, for whatsoever purpose, which shall be levied or assessed [during the county
19 treasurer's term of office,] in the same manner and to the same extent and with the
20 same powers heretofore exercised by the county treasurer and collector of state and
21 county taxes for the county, under the laws of the State. The county treasurer shall
22 receive and collect all State and county taxes, levied, assessed, or received for
23 collection, with full power and authority to enforce the payment of the same by
24 distraint, sale or otherwise, and also receive all moneys which shall be due and
25 payable to the county from any source. The county treasurer may convey to
26 purchasers thereof, the title to any real or personal property sold by the county
27 treasurer for the payment of state or county taxes.

28 (b) The county treasurer shall collect all taxes levied by the board of county
29 commissioners and shall receive all money due to the county from any source,
30 including interest paid on such taxes as are in arrears, and deposit the same. The
31 county treasurer shall pay over as the board of county commissioners may direct all
32 money received for the county that may at any time be in the county treasurer's
33 custody, charge or control and belong to the county.

34 (c) [The county treasurer shall receive the salary prescribed by State law and
35 any fringe benefits regularly provided to county employees. Nothing in this section or
36 in any law heretofore passed shall prohibit any county treasurer for the county from
37 being eligible for any consecutive terms or any other additional terms in such office]
38 THE COUNTY TREASURER SHALL BE A REGULAR COUNTY EMPLOYEE.

39 (d) All the authority, rights, powers, duties and privileges heretofore had,
40 held, enjoyed and exercised by the collector of State and county taxes for the county

1 under the provisions of Annotated Code of Maryland shall be had, held, enjoyed and
2 exercised by the county treasurer for the county. The county treasurer's manner of
3 proceeding to collect and enforce the payment of State and county taxes in the county,
4 shall be the same as prescribed in the Annotated Code of Maryland. Nothing herein
5 contained shall be taken in any way to change or interfere with the provisions of the
6 existing law relating to the collection of State and county taxes for the county other
7 than the changes herein set forth or that may be necessarily implied therefrom.

8 [2-7-30.

9 Before the county treasurer assumes the duties of office, the Clerk of the Circuit
10 Court for Frederick County shall administer to the county treasurer the oath of office
11 required under Article I, Section 9 of the Constitution of Maryland.]

12

Article 25 - County Commissioners

13 51.

14 [(m) In Frederick County the annual salary of the County Treasurer is
15 \$50,000.]

16 SECTION 2. AND BE IT FURTHER ENACTED, That nothing in this Act
17 affects the term of office of the incumbent County Treasurer of Frederick County. The
18 individual who is serving as County Treasurer on the effective date of this Act shall
19 remain County Treasurer for the balance of the term to which elected unless the
20 County Treasurer dies, resigns, or is removed under provisions of law before the
21 expiration of the term.

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
23 effect July 1, 2001.